

Gloria Olmos, Mayor/Chair
Manuel Acosta, Mayor Pro Tem/
Vice Chair
Richard Angel, Councilmember/
Boardmember
Hector Delgado, Councilmember/
Boardmember
Gracie Retamoza, Councilmember/
Boardmember



Rachel Barbosa, City
Manager/Executive Director
Donna G. Schwartz, City
Clerk/Secretary
Anthony R. Taylor, City
Attorney/General Counsel

CITY OF SOUTH EL MONTE

REGULAR MEETING OF THE SOUTH EL MONTE CITY COUNCIL AND THE SUCCESSOR AGENCY TO THE SOUTH EL MONTE IMPROVEMENT DISTRICT

AGENDA

June 28, 2022, 6:00 PM
1415 Santa Anita Avenue, South El Monte, CA 91733

*****SPECIAL NOTICE REGARDING COVID-19*****

On September 16, 2021, Governor Newsom signed AB 361, which modified the Brown Act to allow for teleconferencing participation at local legislative body public meetings during a proclaimed state of emergency. Pursuant to Government Code Section 54953(e) as amended by AB 361, City Council is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically available to all members of the public seeking to observe and to address the local legislative body. Public participation will be allowed via the information below.

PUBLIC COMMENT

To participate during public comment via teleconference, see below:

Link: <https://us02web.zoom.us/j/86581711880>

Webinar ID: 865 8171 1880

Or Call In: 1 669 900 6833, when prompted, enter 86581711880#

LIVE STREAMING OF MEETINGS

The City of South El Monte live streams the City Council Meetings over the Internet at <https://www.cityofsouthelmonte.org/129/City-Council-Agendas-Minutes> after the meetings, recordings are immediately posted. NOTE: Your attendance at this public meeting may result in the streaming and recording of your image and/or voice.

AMERICANS WITH DISABILITIES ACT

In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the City Clerk's office at (626) 579-6540 ext. 3280 or ext. 3220 at least 72 hours prior to the meeting.

GENERAL COMMENT

Members of the public wishing to submit a general comment or a comment on an agenda item, can email dschwartz@soelmonte.org or call (626) 579-6540 ext. 3280 to leave a voicemail message. All comments received an hour before the scheduled meeting will be read during public comment and made part of the record.

MEETINGS

The City Council holds regular meetings on the second and fourth Tuesday of every month. Regular meetings start at 6 p.m. in the Council Chambers at City Hall, 1415 Santa Anita Avenue, South El Monte, California. Special and Adjourned Regular meetings start time are to be determined.

POSTING LOCATIONS OF AGENDA AND/OR CANCELLATION NOTICES

Regular meeting agendas will be posted at least 72 hours before the meeting (GC 54954(a)(1)).

Agenda and Cancellation Notices can be viewed online and are also posted at the following three (3) locations: City Hall located at 1415 Santa Anita Avenue, Senior Center located at 1556 Central Avenue and the Community Center located at 1530 Central Avenue, South El Monte, California.

VIEWING OF AGENDA PACKETS

Full agenda packet can be viewed either at www.cityofsouthelmonte.org/129/City-Council-Agendas-Minutes or in the City Clerk's Office during normal business hours Monday through Thursday 7:00 a.m. to 5:30 p.m. Closed on Fridays and major holidays.

ISSUES RELATED TO AGENDA

For issues related to the agenda, including a disability-related accommodation necessary to participate in this meeting, please contact:

Donna G. Schwartz, CMC, City Clerk
Ph (626) 579-6540 ext. 3280
Cell (626) 274-4842

Paola Lara, Deputy City Clerk
Ph (626) 579-6540 ext. 3220
Cell (626) 374-1998

AGENDA BEGINS ON THE FOLLOWING PAGE

1. ROLL CALL

Councilmembers: Angel, Delgado, Retamoza, Mayor Pro Tem Acosta and Mayor Olmos

2. PLEDGE OF ALLEGIANCE

Councilmember Hector Delgado

3. INVOCATION

Dr. Ramos, Epiphany Catholic Church

4. PRESENTATIONS

4.a. Sheriff's Department Report for the Month of May

4.b. Code Enforcement and Public Safety Department Report for the Month of May

5. APPROVAL OF THE AGENDA AND WAIVER OF FULL READING OF ORDINANCES

By motion of the City Council, this is the time to notify the public of any changes to the agenda, remove items from the consent calendar for individual consideration and/or rearrange the order of the agenda.

6. PUBLIC COMMENT

Speakers may provide public comments on any matter within the subject matter jurisdiction of the City Council, including items on the agenda. Each speaker will be limited to five minutes. Unless a majority of the Council objects, the Mayor may provide speakers more or less time to speak. All comments or queries shall be addressed to the Council as a body and not to any specific member thereof. Pursuant to Government Code Section 54954.2(a)(2), the Ralph M. Brown Act, no action or discussion by the City Council shall be undertaken on any item not appearing on the posted agenda, except to briefly provide information, ask for clarification, provide direction to staff, or schedule a matter for a future meeting.

7. CONSENT CALENDAR

Items on the consent calendar are considered to be routine and customary and are enacted by a single motion with the exception of items previously removed by a member of the City Council during "Approval of the Agenda" for individual consideration. Any items removed shall be individually considered immediately after taking action on the Consent Calendar.

CONSENT CALENDAR (CONTINUED)

7.a. CONSIDERATION AND APPROVAL OF THE REGULAR CITY COUNCIL MEETING MINUTES FOR JUNE 14, 2022

Staff is requesting approval of Minutes for the June 14, 2022 Regular City Council Meeting.

RECOMMENDED ACTION: Staff recommends City Council approve the Minutes of the Regular City Council Meeting of June 14, 2022.

7.b. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22-47, APPROVING WARRANTS FOR THE PERIOD OF JUNE 15, 2022, THROUGH JUNE 28, 2022

Authorizing payment of City expenditures for the period of June 14, 2022 through June 28, 2022 totaling \$785,895.78.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 22-47, authorizing payment of City expenditures.

7.c. APPROVAL OF PROPOSED DARK COUNCIL MEETING DATES FOR MONTH OF AUGUST 2022

Staff is requesting City Council "go dark" on Tuesday, August 9, 2022 and Tuesday, August 23, 2022, as the City Council will be taking a recess during the month of August 2022.

RECOMMENDED ACTION: Staff recommends City Council approve "going dark" on Tuesday, August 9, 2022 and Tuesday, August 23, 2022.

8. PUBLIC HEARINGS - None

9. GENERAL BUSINESS

9.a. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22-48 APPROVING THE FISCAL YEAR 2022-23 ANNUAL BUDGET

On June 22, 2022, the City Council reviewed the City Manager's recommended General, Special Revenue, and Capital improvement budgets in a Special Meeting. Staff had recommended General Fund Revenues of \$24,050,621 and Expenditures of \$18,860,011 for a net increase of \$5,190,610 in the General Fund. In addition, Special Revenue Funds budgeted revenue was \$10,842,584 and expenditures of \$15,926,125 for a net decrease of \$5,083,541. There was a one-time interfund transfer of \$4.9 million from a Special Revenue Fund to the General Fund for American Rescue Plan Act (ARPA) funds that were received from the Federal Government. This was the primary reason for larger General Fund revenues incurred this year and correspondingly the increased expenditures in the Special Revenue Funds. Subsequently, five proposed personnel actions for reallocations and additions were accepted by City Council for inclusion in the Citywide budget.

RECOMMENDED ACTION: Staff recommends City Council Adopt

Resolution No. 22-48 approving the FY 2022-23 Budget, which encompasses the General Fund, Special Revenue Funds, and Capital Improvement Projects.

9.b. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22-49 APPROVING THE GANN LIMIT COMPUTATION

A Resolution to approve the FY 2022-23 for the City of South El Monte pursuant to Article XIII B of the State of California Constitution.

RECOMMENDED ACTION: Staff recommends that the City Council adopt Resolution No. 22-49 establishing the City's Appropriation Limit at \$170,135,936 for FY 2022-23.

9.c. CONSIDERATION OF RESOLUTION 22-50, APPROVING MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE CITY OF SOUTH EL MONTE AND SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS SGVCOG TO RECEIVE \$50,000 IN GRANT FUNDS FOR HOMELESS PROGRAM SERVICES FOR FY 22-23

The San Gabriel Valley Council of Governments (SGVCOG) has funding opportunities through the County of Los Angeles for the purposes of administering Measure H funding allocations in support of the County's Homeless Initiative (HI) strategies to combat homelessness in the San Gabriel Valley. The city of South El Monte intends to use the \$50,000 in available SGVCOG Measure H funds to supplement existing homeless service programs.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution 22-50, approving the Memorandum of Agreement with the San Gabriel Valley Council of Governments.

9.d. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22-51, AWARDING A PROFESSIONAL SERVICES AGREEMENT (PSA) TO SAN GABRIEL VALLEY-HABITAT FOR HUMANITY TO ADMINISTER AND IMPLEMENT THE CALHOME OWNER-OCCUPIED HOME REPAIR PROGRAM

Staff seeks City Council approval to award a Professional Services Agreement (PSA) to San Gabriel Valley-Habitat for Humanity as the responsive, responsible bidder to administer and implement the CalHome Owner-Occupied Home Repair Program.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 22-51, awarding a professional services agreement to San Gabriel Valley-Habitat for Humanity to administer and implement the CalHome Home Repair Program for the amount not-to-exceed (NTE) 10% of the grant amount or \$100,000.00.

GENERAL BUSINESS (CONTINUED)

9.e. CONSIDERATION AND APPROVAL OF RESOLUTION 22-52, COVERING THE TERMS OF A PRIVATE PLACEMENT OF DEBT RELATED TO THE CALPERS UNFUNDED DEBT LIABILITY APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A SITE LEASE AND A LEASE AGREEMENT, AND AUTHORIZING OTHER MATTERS RELATED TO THE FINANCING TRANSACTION

On April 12, 2022, the City Council authorized a lease financing to refinance the City's outstanding unfunded pension liability with CalPERS. The authorization was for a lease/leaseback transaction whereby the City would transfer certain City properties to a private entity and immediately lease them back. During the transaction process, it was revealed that most of the properties intended to be used in the UAL refinancing have solar panel arrays installed on them which were paid for with financing agreements. Those financing agreements contain a restriction that states that those properties can only be transferred to a governmental entity. Because the initial temporary transfer of the properties to the private entity third party would violate the solar financing agreements, a change in legal structure for this financing has become necessary. The action before Council tonight will substitute the South El Monte Financing Authority as the lease counterparty instead of the originally authorized, non-governmental, lease counterparty. All other aspects of the proposed financing structure will remain the same. In addition to action by the City Council, the Financing Authority will also need to authorize this transaction as it is now part of the structure.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No.22-52, approving the terms of a private placement lease financing, approving the form of and authorizing the execution and delivery of a site lease and lease agreement, a trust agreement, and authorizing required actions in connection with the execution and, authorizing other matters relating to the financing.

9.f. CONSIDERATION OF NON-RENEWAL OF CONTRACT AGREEMENT AND GENERAL RELEASE AND WAIVER OF CLAIMS - CITY MANAGER

City Council consideration of two agreements with the City Manager - Non-Renewal of Contract Agreement and General Release and Waiver of Claims.

RECOMMENDED ACTION: The City Attorney recommends that the City Council approve this agenda item and the subject agreements.

10. COMMITTEE REPORTS, INCLUDING AB 1234 REPORTS

AB 1234, section 53232.3(d) requires Members of a legislative body to provide brief reports on meetings attended at the expense of the local agency (i.e., League of California Cities Conferences, ICSC conferences, etc.) at the next regular meeting of the legislative body.

11. CORRESPONDENCE

11.a. LETTER FROM THE 3L CLUB REQUESTING A FACILITY RESERVATION FEE WAIVER FOR USE OF THE SOUTH EL MONTE SENIOR CENTER DINING ROOM

The 3L Club is requesting a reservation fee waiver for use of the South El Monte Senior Center Dining Room to host club meetings, cash bingo, social events and dances. They are requesting three (3) Saturday dates from 10:00 a.m. to 6:00 p.m. to host social dances and twice a month from 1:00 p.m. to 4:00 p.m. during normal business hours to host twenty-four (24) club meetings, cash bingo and club social events.

RECOMMENDED ACTION: Staff recommends City Council discuss and consider the facility reservation fee waiver requested by the 3L Club in the amount of \$32,820.72.

11.b. LETTER FROM CLUB LATINO DE SUR EL MONTE REQUESTING A FACILITY RESERVATION FEE WAIVER FOR USE OF THE SOUTH EL MONTE SENIOR CENTER DINING ROOM

Club Latino de Sur El Monte is requesting a reservation fee waiver for use of the South El Monte Senior Center Dining Room to host club meetings, cash bingo and social dances. They are requesting six (6) Saturday dates from 10:00 a.m. to 6:00 p.m. to host social dances and twice a month from 1:00 p.m. to 4:00 p.m. during normal business hours to host twenty-four (24) club meetings and cash bingo.

RECOMMENDED ACTION: Staff recommends City Council discuss and consider the facility reservation fee waiver requested by Club Latino de Sur El Monte in the amount of \$38,920.80.

12. COUNCILMEMBERS' AGENDA

12.a. Councilwoman Gracie Retamoza

1. Discussion and Possible Action on a Resolution Affirming a Vote of No Confidence: Los Angeles County District Attorney George Gascon

12.b. Councilmember Hector Delgado

1. Recognition of Deputies Nelson Tario, Adrian Ruiz and Brittany Wallace for their Years of Service to the City of South El Monte.

13. CLOSED SESSION

13.a. CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6

City Negotiator: City Manager

Employee Organizations: South El Monte Employees Association and the South El Monte Executive Management Team Association

13.b. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

Pursuant to Government Code Section 54956.9(d)(2) and (e)(1) - (Two cases)

13.c. PUBLIC EMPLOYEE APPOINTMENT

Government Code Section 54957

Title: Interim City Manager

14. RECESS COUNCIL MEETING

15. ANNOUNCEMENT BY THE CITY CLERK (PRIOR TO CONVENING THE SUCCESSOR AGENCY MEETING)

Pursuant to Government Code Section 54952.3, Board Members do not receive any compensation or stipend for attending the Successor Agency meeting.

Successor Agency next page.

SUCCESSOR AGENCY MEETING

16. CALL TO ORDER AND ROLL CALL

Board Members: Angel, Delgado, Retamoza, Vice Chair Acosta, and Chair Olmos

17. APPROVAL OF AGENDA

This is the time for the Board to remove any items from the consent calendar for individual consideration, table, continue, add items, or to make a motion to rearrange the order of this agenda.

18. PUBLIC COMMENTS

Speakers may provide public comments on any matter within the subject matter jurisdiction of the Board, including items on the agenda. Each speaker will be limited to five minutes. Unless a majority of the Board objects, the Chair may provide speakers more or less time to speak. All comments or queries shall be addressed to the Board as a body and not to any specific member thereof. Pursuant to Government Code Section 54954.2(a)(2), the Ralph M. Brown Act, no action or discussion by the Board shall be undertaken on any item not appearing on the posted agenda, except to briefly provide information, ask for clarification, provide direction to staff, or schedule a matter for a future meeting.

19. CONSENT CALENDAR

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19.a. CONSIDERATION AND APPROVAL OF THE SUCCESSOR AGENCY MEETING MINUTES FOR MAY 24, 2022

19.b. APPROVAL OF PROPOSED DARK SUCCESSOR AGENCY MEETING DATES FOR THE MONTH OF AUGUST 2022

20. EXECUTIVE DIRECTOR'S AGENDA - None

21. ADJOURNMENT OF SUCCESSOR AGENCY MEETING

22. RECONVENE AND ADJOURN COUNCIL MEETING

To Financing Authority Meeting immediately following tonight's City Council and Successor Agency Meeting.

I Donna G. Schwartz, hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted not less than 72 hours at the following locations: City of South El Monte City Hall, Senior Center and Community Center and made available at www.cityofsouthelmonte.org on this 23rd day of June 2022.



City Clerk, CMC